

Notice of Allowability	Application No.	Applicant(s)
	10/650,161	HABER, JOSE CHEREM
	Examiner	Art Unit
	Benjamin H. Layno	3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment filed 09/03/04.
2. The allowed claim(s) is/are 1-11.
3. The drawings filed on _____ are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 12/07/04.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date 12/07/04.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rob Phillips on 12/07/04.

The application has been amended as follows:

Claims 12-22 have been cancelled.

In claim 1, line 3 —before wagers are resolved— has been inserted after "times" and before ";".

In claim 1, line 4 —the sum of—has been inserted after "if" and before "each".

In claim 1, line 5 —both—has been inserted after "are" and before "higher".

In claim 1, line 6 —the sum of—has been inserted after "if" and before "each".

In claim 1, line 6 —both—has been inserted after "are" and before "lower".

In claim 9, line 3 —before wagers are resolved— has been inserted after "times" and before ";".

In claim 9, line 4 —sum of the—has been inserted after "the" and before "first".

In claim 9, line 4 —of the two dice—has been inserted after "roll" and before "and".

In claim 9, line 5 —sum of the—has been inserted after "the" and before "second".

In claim 9, line 5 —of the two dice—has been inserted after "roll" and before "are".

In claim 9, line 5 —sum of the—has been inserted after "if the" and before "first".

In claim 9, line 5 --of the two dice—has been inserted after “first roll”.

In claim 9, line 6 –sum of the—has been inserted after “the”.

In claim 9, line 6 --of the two dice—has been inserted after “roll” and before “are”.

Drawings

2. The following changes to the drawings have been approved by the examiner:

The hand drawn drawings in Figures 1, 1A and 2 are informal. The hand written graphical numerals in Figures 3-5 are informal. Formal drawings are now required. In order to avoid abandonment of the application, applicant must make these above drawing changes.

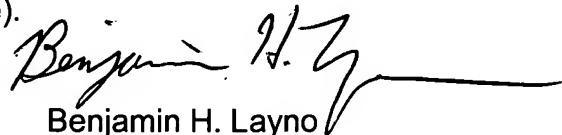
3. The following is an examiner’s statement of reasons for allowance: None of the cited references alone or in combination teach the claimed “allowing a player to roll two or more dice two or more times before wagers are resolved; and resolving said high and low wagers, said high wager being won if the sum of each of the two or more individual rolls are both higher than a pre-established value and said low wager being won if the sum of each of the two or more individual rolls are both lower than the pre-established value”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin H. Layno whose telephone number is (571) 272-4424. The examiner can normally be reached on Monday-Friday, 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on (571)272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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bhl